

## Amendment 115

### To the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System

This Amendment 115 to the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System is entered into this 22nd day of March, 2011, by and between ERG Transit Systems (USA) Inc, a California corporation and wholly owned subsidiary of ERG Limited, an Australian corporation, (hereinafter referred to as the "Contractor") and each of the following seven public transportation agencies (hereinafter referred to individually as an "Agency" or collectively as the "Agencies"):

1. Central Puget Sound Regional Transit Authority ("Sound Transit")
2. King County ("King County")
3. Kitsap County Public Transportation Benefit Area ("Kitsap Transit")
4. Pierce County Public Transportation Benefit Area ("Pierce Transit")
5. Snohomish County Public Transportation Benefit Area ("Community Transit")
6. City of Everett ("Everett")
7. State of Washington, acting through the Washington State Department of Transportation, Washington State Ferries Division ("WSF")

#### Recitals

- A. Effective April 29, 2003, each of the Agencies and the Contractor entered into Contract #229944 ("Contract") to implement a Regional Fare Coordination System ("RFC System") to establish a common fare system utilizing smart card technology. The Contractor is responsible for the development, implementation, operation and maintenance of the RFC System as specified in the Contract.
- B. The Agencies and the Contractor desire to amend Section VI of Exhibit 9, Price Schedule Special Programs, to compensate ERG for the work necessary to reinstate the "Inquiry Mode" on the Washington State Ferries (WSF) Portable Fare Transaction Processors (PFTP). This work is performed per RFI RFCS-637 *WSF PFTP – Inquiry Mode* with the ERG response dated March 9, 2011.
- C. The parties agree that the work necessary to reinstate the Inquiry Mode on the WSF PFTP will be performed by June 30, 2011 and compensated as described below.

## **Section 1.0 Description of Work**

- 1.1 The Contractor will perform the work necessary to reinstate the Inquiry Mode on the WSF PFTP:
  - (a) The Contractor will install the card inquiry icon on the Fare Mode screen and will name it "ORCA Inquiry".
  - (b) The Fare Mode screen will have the same look and functionality as that which is currently installed on other Agency PFTPs.
  - (c) The Contractor will work with WSF to agree upon the final screen layouts. Components to be addressed are the page look and feel, button location, appearance and behaviour.
  - (d) The Contractor will schedule this work for Maintenance Release 15 and will ensure that all work to implement the solution is completed by June 30, 2011.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Contract as follows:

## **Section 2.0 Compensation Changes**

Section VI (Implementation) of Exhibit 9, Price Schedule, is hereby amended to read as follows:

### **VI. IMPLEMENTATION**

#### **SPECIAL PROGRAMS**

<b>LUMP SUM COST</b>
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Amendment No. 115

To perform the work to reinstate the card inquiry mode on the WSF PFTP.	
<b>TOTAL</b>	<b>\$6594</b>

### Section 3.0 Other Terms and Conditions

All other provisions of the Contract not referenced in this Amendment One Hundred and Fifteen shall remain in effect.

IN WITNESS WHEREOF, authorized representative of the Agencies and the Contractor have signed their names in the spaces provided below.

ERG Transit Systems (USA) Inc.

The Agencies

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

By: Constance Carlson  
Their: ORCA operations manager  
On behalf of the Agencies  
Date: March 22, 2011

Signed by ERG Transit Systems (USA) Inc by its attorney Elaine Aulgur pursuant to Power of Attorney dated 18 June 2010:

  
Elaine Aulgur

21-Mar-11  
Date

In the presence of:

  
Witness Signature

21-MAR-11  
Date

Witness name: Pat Hazard